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quent trustee, appointed by the court under statutory authority, sought to exercise the power of using part of the principal. *Held*, that he cannot do so. *Whitaker v. McDowell*, 72 Atl. 938 (Conn.). See NOTES, p. 59.

WAGERING CONTRACTS — RECOVERY OF MONEY LENT FOR GAMBLING. — The plaintiff lent money to the defendant's testator knowing that it might be used in gambling. The money was lent and so used in a jurisdiction where gambling was not illegal. *Held*, that the plaintiff can recover. *Saxby v. Fulton*, 25 T. L. R. 446 (Eng., Ct. App., Mch. 25, 1909).

This decision affirms that of the King's Bench Division discussed in 22 HARV. L. REV. 65.

WILLS — SPECIFIC BEQUESTS — EXPENSE OF MAINTENANCE BEFORE DISTRIBUTION. — The testator bequeathed certain specific legacies. Expense was incurred in their care and maintenance pending the settlement of the estate. *Held*, that the specific legatee, and not the residuary estate, must pay the expenses of the up keep. *In re Pearce*, [1909] 1 Ch. D. 819.

A specific legacy is considered as separated from the general estate and appropriated from the date of the testator's death. See *Isenhart v. Brown*, 2 Edw. Ch. (N. Y.) 341, 347. Upon the assent of the executor, the rights of the specific legatee date back to that time. See *Saunders' Case*, 5 Coke, 12 b. He is accordingly entitled to all accretions or profits added in the interim; for example, the dividends on stock, or the young of animals. See *Isenhart v. Brown*, *supra*. On the other hand, any deficiency in the specific legacy must be borne by him, and will not be made up from the residuary estate. *Sleech v. Thonington*, 2 Ves. 563. Owing to an utter dearth of direct authority on the issue before the court in the principal case, the matter of expense was held to be the converse of profits arising *ad interim*, and the question was decided entirely on principle. The result seems eminently sound, for since the specific legatee gets all benefits accruing within this period, he should bear the burdens as well.

BOOK REVIEWS.

THE LAW GOVERNING SALES OF GOODS AT COMMON LAW AND UNDER THE UNIFORM SALES ACT. By Samuel Williston. New York: Baker, Voorhis and Company. 1909. pp. cix, 1314.

This is a thorough and admirable piece of work. To its production the author brought an unusual equipment. He had taught the subject of Sales of Goods for many years in Harvard Law School; he had published a scholarly collection of cases on this topic, and he had drafted and redrafted, explained and championed the statute now known as the Uniform Sales Act. No member of the American Bar possesses qualifications for authorship in this branch of the law superior to those of Professor Williston. It is safe to predict that no better treatise on Sales of Goods, than the one before us, will be offered to the public soon.

As indicated by the title, this book is not a mere commentary on the Uniform Sales Act. Indeed, such commentary forms but a small part of the work. The larger and more valuable part is devoted to a statement of the common law rules governing the subject. It is here that the author displays his powers of exposition at their best, and justifies the high regard in which he is held, as a teacher, by the growing multitude of lawyers who have had the good fortune to be his pupils. Possibly, busy and experienced practitioners may chafe at times, under the curb put upon their impetuous search for the existing rule of law upon a given point, by the author's careful and painstaking review of conflicting decisions; but it is probably safe to assert that even they will be benefited by his elucidation of the